



Anticipated Classification  
of this Application:  
Class \_\_\_\_\_ Subclass \_\_\_\_\_

Prior Application: Attorney's  
Exam'r: Dr. David B. Schmickel Docket No.:  
Group Art Unit: 1814 Enz-5  
(D8)(C)

Commissioner of Patents and Trademarks  
Washington, D.C. 20231  
BOX FWC (if under §1.62)

Sir:

This is a request for filing a X CONTINUATION   DIVISIONAL  
  CONTINUATION-IN-PART application under X 37 CFR §1.60  
  37 CFR §1.62, of pending prior application Serial No. 07/548,348  
filed on July 2, 1990 of Dean Engelhard et al. for  
Inventor(s)

Ref #  
new  
12/23/91  
11/14/92

HYBRIDIZATION ASSAY METHOD

Title of Invention

1. X Enclosed is a copy of the prior application, as originally filed and an affidavit or declaration verifying it as a true copy.
2.   A verified statement to establish small entity status under 37 CFR §1.9 and §1.27 is enclosed.
3. X The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

					RATE	FEE
	Number Filed		Number Extra		Small Entity	Other Entity
Total Claims	1	=	0	x	\$ 10	\$ 20 = \$ 0 \$
Independent Claims	1	=	0	x	\$ 36	\$ 72 = \$ 0 \$
Multiple Dependent Claims Presented:	Yes <u>X</u> No				\$ 110	\$ 220 = \$ 0 \$
* If the difference in Col. 1 is less than zero, enter "0" in Col. 2				BASIC FEE	\$ 345	\$ 690
				TOTAL FEE	\$ -	\$ 690

4. X The Commissioner is hereby authorized to charge payment of the filing fee as well as the following fees associated with this application or to credit any overpayment to Deposit Account No. 05-1135.  
A duplicate copy of this sheet is enclosed.
- X Any additional filing fees required under 37 CFR §1.16.
- X Any patent application processing fees under 37 CFR §1.17.

Attorney's Docket No. Enz-5 (D8)(C)

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No <u>GB288721367US</u>	
Deposit Date <u>September 30, 1992</u>	
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231	
<u>Ronald C. Fedus</u> <u>9/30/92</u> Ronald C. Fedus Date	

4.  The Commissioner is hereby authorized to charge payment of the following fees associated with this application or credit any overpayment to Deposit Account No. 05-1135. A duplicate copy of this sheet is enclosed.

Any additional filing fees required under 37 CFR §1.16.

Any patent application processing fees under 37 CFR §1.17.

5.  The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 05-1135. A duplicate copy of this sheet is enclosed.

Any patent application processing fees under 37 CFR §1.17.

The issue fee set in 37 CFR §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR §1.311(b).

Any filing fees under 37 CFR §1.16 for presentation of extra claims.

6.  A check in the amount of \$ \_\_\_\_\_ is enclosed.

7.  Cancel claims 2-203.

8.  Amend the specification by inserting before the first line the sentence: --This is a        continuation,        divisional        continuation-in-part, of application Serial No.                  filed                 .--

9.  Transfer the drawings from the prior application.

10.  Informal        Formal        drawings are enclosed.

11.  Abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

12.  Priority of application Serial No.                  filed on                  is claimed under 35 U.S.C. §119.

The certified copy of the priority application has been filed in prior application Serial No.                  filed                 .

13.  The prior application is assigned of record to Enzo Biochem, Inc. 325 Hudson Street, New York, NY 10013.

14.  A preliminary amendment is enclosed.

15.  The power of attorney in the prior application is to Charles J. Herron, Reg. No. 28,019

(a) \_\_\_\_\_ The power appears in the original papers in the prior application.

(b) \_\_\_\_\_ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

(c) x Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Serle I. Mosoff, Esq.

Enzo Biochem, Inc.

345 Hudson Street

New York, NY 10014

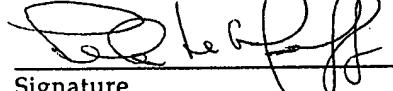
16. x Also enclosed Power of Attorney and Preliminary Amendment

17. x I hereby verify that the attached papers are a true copy of prior application Serial No. 140,980 as originally filed on January 5, 1988.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

28 Jun 90

Date



Signature

Inventor(s)

Assignee of Complete Interest

Attorney or Agent of Record

Filed under 37 CFR §1.34(a)

Address of Signator:

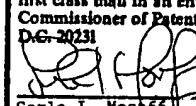
Enzo Biochem, Inc.

345 Hudson Street

New York, NY 10014

Enz-5 (Div. 8)

3

FIRST CLASS CERTIFICATE	
I hereby certify that this correspondence is being deposited today with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents & Trademarks Washington, D.C. 20231	
 28 JUN 90	
Serle I. Mosoff Reg. No. 25,900	Date 28 JUN 90

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification  
of this Application:  
Class        Subclass       

Prior Application:  
Examiner         
Group Art Unit 123

Attorney's  
Docket  
No. Enz-5 (Div. 8)

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231  
BOX FWC (if under §1.62)

Sir:

This is a request for filing a        CONTINUATION X DIVISIONAL  
       CONTINUATION-IN-PART application under X 37 CFR §1.60  
       37 CFR §1.62, of pending prior application Serial No. 140,980 filed  
on January 5, 1988 of Dean L. Engelhardt, et al. for  
Inventor(s)

Modified Nucleotides, Methods of Preparing And Utilizing And  
Compositions Containing The Same

Title of Invention

1. X Enclosed is a copy of the prior application, as originally filed and an affidavit or declaration verifying it as a true copy.
2.        A verified statement to establish small entity status under 37 CFR §1.9 and §1.27 is enclosed.
3. X The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

	Number Filed	Number Extra	RATE		FEE	
			Small Entity	Other Entity	Small Entity	Other Entity
Total Claims	37 - 20	= 17	x \$ 6	\$ 12	= \$ 0	\$ 204
Independent Claims	1 - 3	= 0	x \$ 18	\$ 36	= \$ 0	\$ 0
Multiple Dependent Claims Presented: <u>      </u> Yes <u>X</u> No			\$ 60	\$ 120	\$ 0	\$ 0
* If the difference in Col. 1 is less than zero, enter "0" in Col. 2				BASIC FEE	\$ 185	\$ 370
				TOTAL FEE	\$ 0	\$ 574

Enz-5 (Div. 8)

Dean Engelhardt et al.  
Serial No.: Not Yet Known  
Filed: Herewith  
Page 2 (Request for a Continuation Application Under 37 C.F.R. §1.60  
- September 30, 1992)

5.  The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 05-1135. A duplicate copy of this sheet is enclosed.

Any patent application processing fees under 37 CFR §1.17.

The issue fee set in 37 CFR §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR §1.311(b).

Any filing fees under 37 CFR §1.16 for presentation of extra claims.

6.  A check in the amount of \$ \_\_\_\_\_ is enclosed.

?  
7.  Cancel claims 204-239 (as set forth in the Preliminary Amendment filed in Serial No. 07/548,348).

8.  Amend the specification by inserting before the first line the sentence: -- This is a  continuation,  divisional  continuation-in-part, of application Serial No. 07/548,348, filed on July 2, 1990, which is a divisional of 07/140,980, filed on January 5, 1988, abandoned, which was a continuation of Serial No. 06/674,352, filed on November 21, 1984, abandoned, which was a continuation of Serial No. 06/391,440, filed on June 23, 1982, abandoned. --

9.  Transfer the drawings from the prior application.

10.  Informal  Formal  drawings are enclosed.

11.  Abandon said prior application as of the filing date accorded this application. A **duplicate** copy of this sheet is enclosed for filing in the prior application file.

12.  Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ is claimed under 35 U.S.C. §119. \_\_\_\_\_ The certified copy of the priority application has been filed in prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_.

13.  The prior application is assigned of record to Enzo Diagnostics, Inc. [A copy of the Assignment and the Notice of Recordation are enclosed herewith.]

14.  A preliminary amendment is enclosed.

Dean Engelhardt et al.  
Serial No.: Not Yet Known  
Filed: Herewith  
Page 3 (Request for a Continuation Application Under 37 C.F.R. §1.60  
- September 30, 1992)

15.  The substitute power of attorney in the prior application is to: Serle I. Mosoff, Reg. No. 25,900; Elaine P. Brenner, Reg. No. 29,517; and Ronald C. Fedus, Reg. No. 32,567.

(a)  The power appears in the original papers in the prior application.

(b)  Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

(c)  A copy of a new substitute power of attorney is enclosed (the power having been submitted with the Request for Extension of Time concurrently filed in Serial No. 07/548,348).

(d)  Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Ronald C. Fedus, Esq.  
Enzo Biochem, Inc.  
60 Executive Boulevard  
Farmingdale, New York 11735

16.  Also enclosed is a Request for a One-Month Extension of Time in the prior application (with Substitute Power of Attorney).

17.  I hereby verify that the attached papers are a true copy of prior application Serial No. 07.548.348 as originally filed on July 2, 1990.

18.  Applicants filed a response on June 18, 1992 to the final Office Action mailed on June 3, 1992. On July 1, 1992, the Examiner issued an Advisory Action. With the Request For a One Month Extension of Time described in Item 16 above, this Request for a Continuation Application Under 37 C.F.R. §1.60 is being filed during the pendency of the prior application.

Attorney's Docket No. Enz-5 (D8)(C)

Dean Engelhardt et al.  
Serial No.: Not Yet Known  
Filed: Herewith  
Page 4 (Request for a Continuation Application Under 37 C.F.R. §1.60  
- September 30, 1992)

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

September 30, 1992

Date

  
Signature [Ronald C. Fedus]

Registration No. 32,567

Inventor(s)  
 Assignee of Complete Interest  
 Attorney or Agent of Record  
 Filed under 37 CFR §1.34(a)

Address of Signator:  
Enzo Diagnostics, Inc.  
c/o Enzo Biochem, Inc.  
60 Executive Boulevard  
Farmingdale, New York 11735

Attorney's Docket No. Enz-5 (D8)(C)